

16C3
Attorney Docket No.: HAR-105
(previously 069655-001)IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicants: Miguel Angel Fuenzalida DIAZ
et alTitle: Pharmaceutical and Food
Compositions Containing "Wood
Alcohols" or "Wood Sterols"
Useful for Lowering Serum
Cholesterol

Serial No: 09/922,532

Filing Date: 03 AUG 2001

)
) I hereby certify that this correspondence
) has been sent by **FACSIMILE**
) to **703-746-4060**, addressed to the
) Commissioner of Patents and Trademarks
) Washington, DC, 20231, on June 6, 2002.
)
) Susan Leo Vanderwalker 06 June 2002
) Susan Leo Vanderwalker date

COMMUNICATION IN RESPONSE TO
REQUEST FOR SUBSTITUTE PAPERSThe Honorable Commissioner
of Patents and Trademarks
Washington, DC 20231

Dear Sir:

This Communication is in response to the *Request for Substitute Papers* indicated as having been mailed on March 25, 2002. The purpose of this Communication is to replace documents filed (i.e., received) in the U.S. Patent Office on January 22, 2002, which are no longer in a condition to become part of the permanent records due to the U.S. Postal Service sanitization process.

Attached is a copy of the March 25, 2002 *Request for Substitute Papers* along with true and correct copies of the papers received in the Patent Office on January 22, 2002 (which were mailed on December 14, 2001).

Applicant does not believe that any fees are due at this time for submission of this Communication. However, if Applicant's understanding is incorrect, you are hereby authorized to deduct the required fees from our Deposit Account, No. 02-0400 (Baker & McKenzie). When identifying such a withdrawal, please use our Attorney Docket No.: HAR-105.

June 6, 2002 by facsimile

Respectfully,

David I. Roche
Reg. No. 30,797

BAKER & MCKENZIE
130 E. Randolph Drive
Chicago, IL 60601
ph: 312-861-8608
fax: 312-861-8937

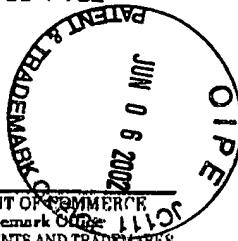
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UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231
www.uspto.gov



Application Number	Filing Date	First Named Applicant	Atty. Docket No.
09/922,532	08/03/2001	Diaz, Miguel	86965-1001

BAKER & MCKENZIE
 12th Floor
 101 West Broadway
 San Diego CA 92101

Title: Pharmaceutical and food compositions containing" wood alcohols" or" wood sterols" useful for lowering serum cholesterol

Date Mailed: 03/25/2002

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Request for Substitute Papers

The papers filed on 01/22/02 are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated **703-746-4060(OIPE)**.

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

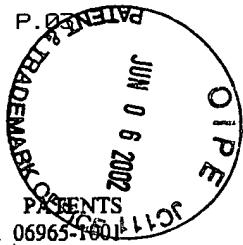
The USPTO **strongly** prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within **two (2) weeks** of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. A **copy of this notice should be included with the reply**.

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: David I. Roche Registration No.: 30,397

Signature: David I. Roche Date: 06 JUNE 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: To be assigned
 Miguel Angel Fuenzalida DIAZ et al.)
 Serial No.: 09/922,532) Examiner: To be assigned
 Filed: August 3, 2001)
 For: PHARMACEUTICAL AND FOOD)
 COMPOSITIONS CONTAINING)
 "WOOD ALCOHOLS" OR "WOOD)
 STEROLS" USEFUL FOR LOWERING)
 SERUM CHOLESTEROL)

BOX MISSING PARTS
 Commissioner for Patents
 Washington, D.C. 20231

TRANSMITTAL LETTER And
RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Dear Sir:

In response to the Notice to File Missing Parts, mailed September 14, 2001, enclosed please find the following.

1. Return copy of the Notice to File Missing Parts under 35 U.S.C. 371, mailed September 14, 2001;
2. Check in the amount of \$160.00 to cover the surcharge for late filing of the declaration, Assignment recording fee and extension fee;
3. Combined Declaration and Power of Attorney executed by the inventor;

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Mail Service as First Class Mail on the date shown below with sufficient postage in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: December 14, 2001

Signature:

Karen M. Cruz

587351v1

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4. Assignment;
5. Recordation Form Cover Sheet;
6. Petition for Extension of Time (1 mo.);
7. Submission of Priority Document; and
8. Certified copy of Priority Document.

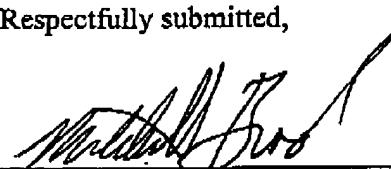
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Although it is believed no additional fee is due for this filing, in the event that the Examiner determines an additional fee is due, the Commissioner is authorized to charge any deficiency, or credit any overpayment, to our deposit account, No. 02-0410 in the name of Baker & McKenzie. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Mitchell P. Brook
Attorney for Applicant
Reg. No. 32,967
c/o BAKER & MCKENZIE
101 West Broadway, 12th Floor
San Diego, California 92101
(619) 236-1441



Page 1 of 1



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
INTERNET: USPTO@USPTO.GOV

APPLICATION NUMBER	FILED/RECEIVED DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/222,532	08/03/2001	Miguel Angel Fuenzalida Diaz	06963-1001

CONFIRMATION NO. 9018

FORMALITIES LETTER

1950-1951

BAKER & MCKENZIE
12th Floor
101 West Broadway
San Diego, CA 92101

Date Mailed: 08/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$85 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

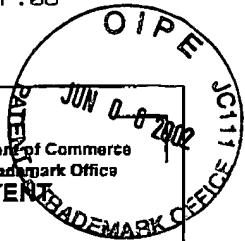
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 3 - OFFICE COPY

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RECORDATION FORM COVER SHEET PATENTS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

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Submission Type

New
 Resubmission (Non-Recordation)
 Document ID#
 Correction of PTO Error
Reel # Frame #
 Corrective Document
Reel # Frame #

Conveyance Type

Assignment Security Agreement
 License Change of Name
 Merger Other
U.S. Government
(For use ONLY by U.S. Government Agencies)
 Departmental File Secret File

Conveying Party(ies)

Mark if additional names of conveying parties attached Execution Date
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 11232001

Name (line 1) SCHERSL, Endre Markovits

Name (line 2)

Execution Date
Month Day Year

Second Party

Name (line 1) ROJAS, Alejandro Markovits

Name (line 2)

Execution Date
Month Day Year

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If document to be recorded
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Assignment)

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Name (line 2)

Address (line 1) Panamericana Norte 6000

Address (line 2)

Address (line 3) Quilicura CHILE Zip Code
City State/Country Zip Code

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name Mitchell P. Brook, Esq.

Address (line 1) Baker & McKenzie

Address (line 2) 101 West Broadway, 12th Floor

Address (line 3) San Diego, California 92101

Address (line 4)

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20580. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
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Pages Enter the total number of pages of the attached conveyance document
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Application Number(s) or Patent Number(s)

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Patent Application Number(s)

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<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Month Day Year

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

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PCT PCT PCT

Enter PCT application number

only if a U.S. Application Number PCT PCT PCT

has not been assigned.

Number of Properties

Enter the total number of properties involved. #

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment:

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: #

Authorization to charge additional fees:

Yes No

Statement and Signature

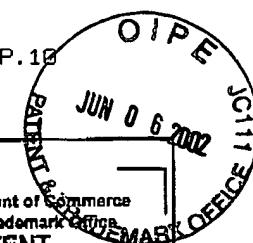
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

MITCHELL P. BROOK

Name of Person Signing

Signature


12/13/01
Date

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Expires 06/00/99
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Patent and Trademark Office
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Conveying Party(ies)

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Enter additional Conveying Parties

Name (line 1) **DIAZ, Miguel Fuenzalida**Execution Date
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11232001

Name (line 2)

Execution Date
Month Day Year

Name (line 1)

Execution Date
Month Day Year

Name (line 2)

Execution Date
Month Day Year

Name (line 1)

Execution Date
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Patent Application Number(s)

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